

**REMARKS**

Claims 1, 5, 6, 9-11 and 14-26 are pending in this application. Claims 9 and 20 are amended herein.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Claim 20 is rejected under 35 U.S.C. §112, second paragraph. Claim 20 has been amended to change the term "being" to "comprising." It is respectfully submitted that this amendment overcomes the rejection under 35 U.S.C. §112, second paragraph. Therefore, the rejection should be withdrawn.

Claims 1, 5, 6, 10, 11, 14-19 and 20-26 are rejected under 35 U.S.C. §112, first paragraph, for allegedly lacking enablement. Applicants respectively traverse the rejection.

It is respectfully submitted that the use of antisense as a therapy is enabled by the present application, as supported by the knowledge of one of ordinary skill in the art at the time this patent application was filed. In support of this position, attached is a further Declaration of Dr. Bar-Shavit. This Declaration refers to a list of publications describing the state of the art at the time of the present application. These publications, which are attached to the Declaration, demonstrate the expression of heterologous sequences in cells and in particular antisense therapeutics. Thus, these publications demonstrate that, at the time the

present application was filed, there was significant guidance in the art as to how to make and use antisense molecules.

In addition, in order to demonstrate that the antisense molecules of the present invention are effective *in vivo*, and in order to demonstrate their effect against cancers other than breast cancer, additional experiments have been conducted. These experiments and their results are presented in the attached Declaration. These experiments clearly demonstrate that the antisense molecules described in the present application can be used *in vivo* and can be used to treat cancers other than breast cancer, specifically they can be used to treat melanoma. Thus, these experiments clearly demonstrate that the full scope of the claims are enabled by the present specification. In particular, these experiments clearly demonstrate that one of ordinary skill in the art would be able to make and use the present invention without undue experimentation.

The present specification enables the full scope of the claims. Therefore, the rejection under 35 U.S.C. §112, first paragraph, should be reconsidered and withdrawn.

Claims 9 and 20 are rejected under 35 U.S.C. §102 over Coughlin et al (hereinafter "Coughlin"). Applicants respectfully traverse the rejection.

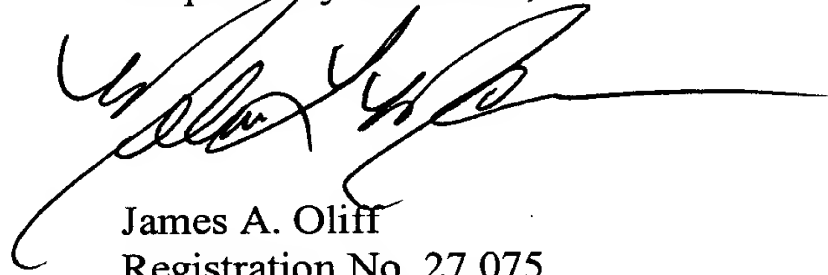
Coughlin discloses a DNA construct the (+ strand) coding for a mRNA capable of being translated into a protein. The coding DNA is, of course, capable hybridizing to the mRNA it forms, the two of them being complementary. However, Coughlin does not teach an expression vector encoding an antisense molecule comprising a nucleotide sequence that hybridizes to an RNA sequence of a thrombin receptor protein, as recited in claim 9. At best, Coughlin teaches an expression vector encoding mRNA that is complementary to an antisense molecule that is encoded by the claimed expression vector. In addition, Coughlin does not teach or suggest an antisense molecule comprising SEQ ID NO: 7, as recited in claim 20.

Coughlin does not teach each and every feature of claims 9 and 20. Therefore, the rejection of these claims over Coughlin should be reconsidered and withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 5, 6, 9-11 and 14-26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:MLM/jam

Attachment:  
Declaration w/attachments

Date: June 17, 2004

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